

LAW OFFICES
BASS, BERRY & SIMS
FIRST AMERICAN CENTER
NASHVILLE, TENNESSEE 37238
TELEPHONE 615/244-5370

2 4

0526

16713

ANDREW GODDARD
615/742-6224

TELECOPIER 615/742-6293
TELEX 31212

March 27, 1992



Via Federal Express

Ms. Elizabeth Davis
Office of Regional Counsel
U.S. Environmental Protection Agency
Region IV
345 Courtland Street, N.E.
Atlanta, Georgia 30365

Mr. Fred Stroud
U.S. Environmental Protection Agency
Region IV
345 Courtland Street, N.E.
Atlanta, Georgia 30365

Re: Saad Site, Nashville, Tennessee

Dear Beth and Fred:

I am writing in response to Beth's request that we outline for both of you more specifically our thoughts on the remaining work to be performed at the Saad Site, and the roles of EPA and the State as we go forward. With respect to the letter, these thoughts represent my understanding of the Steering Committee's current positions based on several discussions. However, this has not been formally approved by resolution.

When the Steering Committee first undertook work at the Site under the Administrative Order by Consent negotiated with EPA, significant volumes of hazardous materials were present in tanks and on the surface of the Site. The removal of those materials, the above-ground storage tanks, and an underground oil/water separator is now complete. This removal work substantially reduced the risk to human health and the environment posed by the Site.

We understand that EPA believes additional removal work is required to address contaminated soils at the Site and to assure that there are no remaining buried drums at the Site. The State of Tennessee's Department of Health and Environment (the "State") has also indicated that once EPA is satisfied that all removal activities are complete, it will want the Steering Committee to pursue a Remedial Investigation/Feasibility Study ("RI/FS") under

Ms. Elizabeth Davis
Mr. Fred Stroud
March 27, 1992
Page 2

the state superfund program and develop response actions for any remaining soil contamination and possibly groundwater.

It appears that at some point, the remaining removal work envisioned by EPA overlaps with the remedial work envisioned by the State. Before any additional removal work is conducted, EPA has indicated and the Steering Committee has agreed that additional trenching is necessary. The trenching will accomplish two goals: (1) provide further characterization to confirm and define the extent of contamination, particularly PCBs and metals; and (2) determine whether there are any remaining buried drums at the Site. This additional characterization work should provide much or all of the necessary soil data for a State RI report. The results of the characterization will also serve as a basis for developing the most sensible approach to soil remediation either through selection of one or a combination of response actions. The various response actions can best be evaluated from the standpoint of effectiveness, timeliness, and cost once the additional characterization results are available.

The trenching and characterization serves the State remedial goals, and at the same time serves the goals of the EPA removal program, by identifying any additional drums and removing them if discovered in the course of the trenching work. The development and implementation of a response to soil contamination could fall into either the removal or the remedial category. In the Steering Committee's view, the soil remedy may be more appropriately handled by the State under a remedial program approach to avoid duplicative work at a later time. As a remedial project's goals are generally broader than a removal project's goals, any remaining concerns of EPA's would be addressed.

It is our understanding that EPA has always intended to shift the Site back to the State program once it reached the remedial stage since the Site does not meet the criteria to be addressed under the federal remedial program. We believe we are close to that stage. For this reason, we believe that the Site work would best proceed as set forth on the attached outline. The work proposed essentially follows the recommendations included in the revised report submitted to EPA on March 17, 1992. This outline, however, suggests where the Site be transferred to the State's jurisdiction. In our view, that transfer should occur upon the EPA's approval of the recommendations in the revised March 17 report and subsequent completion of the trenching and additional characterization, which would include the removal of any drums discovered.

Ms. Elizabeth Davis
Mr. Fred Stroud
March 27, 1992
Page 3

I believe that it would be useful for representatives of the Steering Committee to meet with you to discuss this proposal further. I hope that this letter and the attachment clarifies our position on how best to proceed.

Sincerely,



J. Andrew Goddard

JAG/jhp
Enclosure

cc: Mr. Bennie Underwood
Saad Site Executive Committee

Mr. David Randolph
Tennessee Department of Environment and Conservation

#127675

CHRONOLOGY FOR PROCEEDING WITH
SAAD SITE, NASHVILLE, TENNESSEE

<u>Work Item</u>	<u>Lead Agency</u>
1. Finalize RA/FI Report to address EPA comments	EPA
2. Develop Work Plan for additional trenching and drum search	EPA
3. Upon approval of Work Plan, conduct drum search and additional trenching and characterization	EPA
4. During trenching, remove any additional drums encountered	EPA
5. Review results of additional characterization; based on these results, evaluate the need to excavate portions of the site to address metals and PCBs and further evaluate in situ treatment in other areas	State
6. Evaluate the efficacy of soil vapor extraction ("SVE") with a pilot test unless in situ treatment is not considered viable	State
7. Perform any additional investigatory work agreed to between the State and Steering Committee	State
8. Review all data and results of SVE pilot test (if performed) to evaluate and select a response alternative or combination of alternatives appropriate to the Site given the level of risk posed to human health and the environment	State
9. Implement agreed-upon response actions	State